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ELECTION COMMISSION, INDIA

NOTIFICATION

New Delhi, the 23rd June, 1953

S.R.O. 1289.—Whereas the election of Shri Piare Lal as a member of the Legislative Assembly of the State of Rajasthan from the Sironj constituency of that Assembly, has been called in question by an Election Petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951), by Shri Moti Lal Jain Sanichara s/o Shri Murlidhar Jain, resident of Sironj, District Kotah;

And whereas, the Election Tribunal appointed by the Election Commission, in pursuance of the provisions of Section 86 of the said Act, for the trial of the said Election Petition has, in pursuance of the provisions contained in section 103 of the said Act, sent a copy of its Order to the Commission;

Now, therefore, in pursuance of the provisions of Section 106 of the said Act, the Election Commission hereby publishes the said Order of the Tribunal.

BEFORE THE ELECTION TRIBUNAL KOTAH

CORAM:

Shri P. D. Pande—*Chairman*
Shri J. P. Mathur—*Member*.
Shri B. S. Darbari—*Member*.

ELECTION PETITION NO. 219 OF 1952

Shri Motilal Jain Sanicharia son of Murlidhar Jain, resident of Sironj,
District Kotah—*Petitioner*

Versus

1. Shri Piarelal son of Sita Ram, resident of village Ghatwar, Tehsil Sironj, District Kotah.
2. Shri Kesarimal son of Hukam Chand, resident of Sironj Tehsil, District Kotah.
3. Shri Kishorilal Mahatma, resident of Sironj, Tehsil Sironj, District Kotah.
4. Shri Sallgram son of Gulab Singh, resident of village Dhimroll, Tehsil Sironj, District Kotah.
5. Shri Rajmal Jain son of Misri Lal, resident of village Murwas, Tehsil Lateri, District Kotah.
6. Shri Hiralal son of Khunnilal, resident of Sironj, Tehsil Sironj, District Kotah.
7. Moulana Abdul Rahim, Mohalla Talaya, Chairman, Municipal Committee Sironj—*Respondents*.

Counsel.—Shri Nathulal Jain for the Petitioner and Shri Ram Swarup and Shri U. M. Trivedi for Respondent No. 1.

JUDGMENT

By means of this Election Petition, the Petitioner, Shri Motilal Jain (Congress) not only challenges as void the election of Respondent, Shri Piarelal (Hindu Sabha) to the Rajasthan State Assembly from Sironj Constituency, but also prays that the said Respondent be unseated and further disqualified and punished for having committed some illegal and corrupt practices. He also requests that re-elections be ordered.

It appears that the Petitioner and all the seven Respondents Nos. 1 to 7 were candidates to the General Elections of 1951 (1952?). The security deposits of respondents 2 to 5 were forfeited. Respondents 6 and 7 withdrew from the contest and respondent No. 1 was declared elected on 28th January 1952. The petitioner had secured the greatest number of votes after respondent No. 1.

The petitioner attacks the election of respondent No. 1 on the following four main grounds:—

In the first place, he alleges that the Returning Officer of Sironj committed a grave error in accepting the nomination paper of respondent No. 1 who was disqualified to become a Member of State Legislative Assembly as he was a Patel of village Ghatwar and the resignation tendered by him had not been accepted on the date of his nomination.

Secondly, he pleads that respondent No. 1 had resorted to the following illegal and corrupt practices:—

- (a) he procured the assistance of Government Officers and particularly of Shri Kishan Lal, Tehsildar of Lateri for furtherance of his own election prospects;
- (b) the Ballot-boxes of Lateri circle were kept in the Tehsil where the Tehsildar himself resided and not in Police custody as per orders of the Returning Officer;
- (c) he threatened the voters generally in the name of religion at each Polling Station and has agents and canvassers preached that one who voted for the Congress will be guilty in the eye of God;
- (d) the Harijans were threatened of ostracisms and were actually boycotted. They were forced to cast their votes under undue influence and coercion.

Thirdly, according to the Petitioner, respondent No. 1 was guilty of bribery and corruption, in as much as, he gave a sum of Rs. 1,100 to Saligram (respondent No. 4) as illegal gratification to persuade himself to withdraw himself unofficially from the contest, stop canvassing for himself and canvass for Respondent No. 1.

Fourthly, the Petitioner contends that the Return of Election Expenses is false in material particulars and is also defective for the following reasons:—

- (1) The declarations of Respondent No. 1 and his Election Agents do not bear non-judicial stamps worth Rupees 2 each and the declaration of Respondent No. 1 himself has not been verified in presence of Magistrate.
- (2) Under Form "A" of the return, the name of the Payee and the vouchers of payments are not given. Voucher No. 51-A filed by the Respondent No. 1 and his Election Agent is false and is not proper.
- (3) In Form 26 the amount received first of all is from 10th December 1951, while respondent No. 1 had started expenses from 1st December, 1951. There are various entries until 10th December 1951 and it does not appear how he incurred these expenses when there was no money received.
- (4) In Form "B" the total amount of expenses shown is Rs. 424-8-0 while on Form "B" the same is shown as Rs. 224-8-0.

Respondents 2 to 7 have been duly served but have remained absent we have therefore, proceeded *ex parte* against them. Respondent No. 1 has, however, contested the Petition vigorously. He denies that he is the Patel of village Ghatwar and asserts that his resignation of the Office of Patel was accepted. In the alternative, he pleads that in as much as, his unequivocal act of resignation was enough to terminate his relations with the Government, the Returning Officer was not wrong in accepting his nomination paper. He further states that he did not procure assistance from any Government Officer or Officers, did not give Rs. 1,100 or any other sum to Saligram respondent No. 4 by way of illegal gratification for not contesting his Election seriously and did not indulge in any bribery or undue influence. He denies that the Return of his Election Expenses is in any way false or defective and pleads that mistakes if any in filling up the forms have been condoned by the Election Commissioner and do not affect the election. His request that the Petitioner be asked to amend his pleadings and particulars, did not seem to carry any weight and was, therefore, not acceded to.

On the basis of the above pleadings, the following issues were framed:—

1. Was Respondent No. 1 a Patel of village Ghatwar (District Sironj) and did he hold an office of profit under the Government of Rajasthan as alleged in paras 3 and 4 of the petition, at the time of his nomination?
2. How does the question of acceptance or non-acceptance of Respondent No. 1's resignation as Patel, affect the acceptance of his Nomination?
3. Did the Returning Officer accept improperly the nomination paper of respondent No. 1 and was the result of the election materially affected thereby?
4. Did Respondent No. 1 resort to corrupt and illegal practices as detailed in clauses (1) and (2) of para 7 and paras 1 and 2 of schedule A of the petition, or, to bribery and undue influence as mentioned in paras 3, 8, and 9 of Schedule A?
5. Were the ballot-boxes of Lateri kept in Tehsil building and if so, with what effect, if any, on the election?
6. Is the Return of Election Expenses as filed by Respondent No. 1 false in material particulars and also defective as pointed out in paras 4 to 7 of Appendix A, and if so, how do these facts affect the election?
7. To what relief if any, is the petitioner entitled?

FINDINGS

Issue No. 1.—In spite of his half-hearted denial in para 5 of his written statement, Respondent No. 1 could not help admitting in his deposition that he did hold 25 bighas of Muafi land for discharging his duties as a Patel. He however, contended that his resignation was accepted on 26th November 1951. His latter contention is untenable, because, as we shall presently show under Issue No. 2, his resignation was in fact accepted on 9th June, 1952 and he continued to act as Patel until then.

The report Ex. V. and order thereon as passed on 2nd September 1924, as also, the evidence of Shri Shyam Ratan (P.W. 3) read with Ex. VI prove it beyond doubt that Respondent No. 1 had been given 25 beghas of Muafi land and appointed as Patel of village Ghatwar for life on 2nd September 1924. This village formed part of the former Tonk State which for the purpose of defining the rights, *infer a'ia* of those who held and cultivated land under the Darbar passed certain Land Revenue Rules, Regulation and Laws. These Rules were published in 1928 and are evidently the only Rules with reference to which the status of Respondent No. 1 as Patel should be properly determined. Rule 355 of these Rules says that "in each village a Patel shall be either confirmed or appointed from among the persons who hold land on Riyat or Muafi on account of Patelai. In villages where the appointment of more than one Patel is Customary or necessary more than one Patel shall be so confirmed or appointed".

"In such confirmations or appointments regard shall be held to the customs of the village and, when possible, the members of the family who enjoy the Patelai Riyats or Muafi shall nominate the Patel for approval by agreement."

"The Patel or Patels so confirmed shall be styled Patel-i-deh."

And the subsequent Rule 356 lays down that "the confirmation, appointment, punishment, suspension or dismissal of the Patel-i-deh shall rest with the Nazim of the Pargana, from whose decision an appeal shall lie to the Revenue Member."

The fact that the Patel in Tonk State did hold an office is clear from Rule 357 which runs as follows:—

"The Patel-i-deh shall be confirmed or appointed to that office for life (subject to the condition that the Patel-i-deh is capable of carrying out his duties) or for a term of years."

The question that now remains to be considered is as to whether Respondent No. 1 held an office of profit at the time of his nomination *i.e.* on 26th November 1951. It is clear that he did hold the office of Patel from 2nd September 1924 (*vide* Ex. V) to 9th June 1952, *vide*, Shri Shyam Ratan (P.W. 3) and Shri Ratan Lal (P.W. 4). The nomination took place on 26th November 1951 (*vide* Exs. I, III and IV), and so, he was clearly holding the office of Patel on the date of his nomination. His evidence that he did not, in fact, discharge any duties as a Patel either before or after his resignation is a matter of no consequence, for, non-discharge of duties does not necessarily mean cessation of office or abandonment of employment and Shri Ratan Lal (P.W. 4) has told us that the Respondent did discharge his duties as a Patel at least until April 1952.

The question whether the Office of Respondent No. 1 as a Patel, was an office of profit is answered in the affirmative by Respondent's own admission that he had received 25 bighas of Muafi land for discharging his duties as a Patel. Thus, there was an office and to that office some remuneration in the shape of the Muafi land was attached, and so that office became an office of profit.

It cannot be denied that the aforesaid office of profit was held by Respondent No. 1 formerly under the Tonk State and on the date of the nomination under the Rajasthan Government. We decide the issue accordingly.

Issue No. 2.—Respondent No. 1 has taken up two alternative defences. He suggests that either his resignation had been only accepted on the date of his nomination, or, even if it had not been formally accepted, it had become operative with immediate effect. In our opinion, both the suggestions are untenable.

Exs I, III and IV are Respondent No. 1's nomination papers. The first was filed on 26th November 1951 at 11-40 A.M. The other two are also of the same date. Ex. X indicates that the Respondent had also tendered his resignation of the Office of Patel on 26th November 1951. The Returning Officer's scrutiny-order Ex. II bears no date, but, in view of the correspondence contained in Exs. IX to XI, it is clear, that the said order accepting Respondent No. 1's nomination could not have been passed before 29th November 1951. It is apparent from the order itself that Respondent No. 1 had only presented his resignation but it had not been accepted. Respondent No. 1 states on oath that two days before he filed his nomination paper, he submitted his resignation of the office of Patel. The statement is, however, wrong, because, the nomination papers Exs. I, III and IV were filed on 26th November 1951 and the office report Ex. X shows that the resignation was also filed on that date. Respondent No. 1's another statement that his resignation was accepted on 26th November 1951 is again untrue, because, we have it from Shri Ratan Lal Tehsildar (P.W. 4), to whom the resignation had been given, that the resignation had not been accepted until April 1952 and again from Shri Shyam Ratan (P.W. 3), Reader and Head Clerk of Tehsildar Sironj that it was actually accepted on 9th June 1952 (*vide* Ex. VIII). We accept the latter statement as correct.

Now, in view of our finding that the resignation had really been accepted on 9th June 1952, the issue under consideration gets clarified and narrowed down to the determination of the question as to how the non-acceptance of the resignation until 9th June 1952 affects the acceptance of nomination on 29th November 1951.

It has been argued on behalf of Respdt. No. 1 that his resignation became effective from the moment he presented it to the Tehsildar of Sironj *viz* Shri Ratan Lal (P.W. 4), but, there is no authority in support of this contention. The Tehsildar himself has refuted the suggestion by stating on oath that he personally had no authority to accept the resignation and that it was the Commissioner who had that authority. In support of his statement, the Tehsildar has referred to an Administrative circular of the year 1948. The above argument, therefore,

stands defeated not only on the basis of the Tehsildar's statement but also in view of the following 2 general principles of law:—

(a) The power to terminate flows naturally and as a necessary sequence from the power to create; in other words, the authority to call an officer into being necessarily implies the authority to terminate his functions (*vide* Rayarappan Vs. Madhavi Amma, 1950, 1950 Federal Court 140).

(b) After an office was conferred and assumed it could not be laid down without the consent of the appointing power (Paynes Law of Elections 1890, page 201, 1924 Madras p. 396 and 1925 Madras p. 173).

For the reasons given above, we do not hesitate to hold that respondent No. 1 should be deemed to have continued in office as Patel until 9th June, 1952, when his resignation was accepted.

We now proceed to discuss the question as to how the non-acceptance of his resignation up to 9th June, 1952 affects the question of respondent No. 1's nomination. We have already decided under issue 1 that respondent No. 1 was holding an office of profit as Patel from 2nd September, 1924 to 9th June 1952. Therefore, it is clear that on 26th November 1951 when he filed his nomination, or subsequently on 29th November 1951 or thereabouts, when the nomination was accepted, he was still holding an office of profit as Patel, and so, the acceptance of his nomination by the Returning Officer was invalid under Article 191(1) of the Indian Constitution read with Sec. 32 of the R. P. Act of 1951.

Issue 3.—In view of our decision on issue, 2, the first portion of this issue cannot but be decided in the affirmative. But, so far as the 2nd portion of the issue is concerned, it cannot be denied that the onus is on the Petitioner to establish that on the materials on the record and surrounding circumstances, the result of the election would in all probability have been different.

Pt. Shiva Dat Sharma (P.W. 11) who was the Returning Officer at the election has told us definitely that the respondent had secured 5305 votes while Petitioner had obtained 4106 and was the second best. This means that there was a difference of 1199 votes between the two. But this difference though pretty large should not cloud the issue. The simple question before us is: was the result of the election materially affected by the improper acceptance of respondent No. 1's nomination paper? We do not seem to have any doubt that the result was materially affected, and our reasons for this opinion are manifold. Respondent No. 1 had been acting as the Patel of the village for more than 27 years. He was expected to carry on the multifarious revenue, police and other duties of a Patel-doh as enumerated in Rule 361 of the Tonk Revenue Rules of 1928 (Vol II). He was thus a village-officer, who came into constant touch with the voters, the majority of whom were apparently cultivators, and so, he carried influence with them. In spite of all these adverse circumstances, the Petitioner's score was the second best. Respondent 1's resignation of the post of the Patel was submitted in anticipation of his nomination and his nomination was accepted on 29th November, 1951, although, his resignation had not yet been accepted but was accepted on 9th June 1952 i.e., about 6 months later. The Voters were not expected to have known that there was a statutory disqualification attached to him. If they had known this they would not have probably liked to waste their votes on him and at least some of them would have voted for the Petitioner. The respondent No. 1 should not have been a candidate at all and when he managed to get as many as 5305 votes, it can be safely presumed that the election has not been a fair election as the electorate did not have the fullest opportunity of expressing their wishes freely or any clear idea that they should not vote for the disqualified candidate viz. respondent No. 1.

There are also other surrounding circumstances which lead us to the conclusion that result of the election has been materially affected. These circumstances relate to the undue influence resorted to by respondent No. 1 and the various corrupt practices for which we are presently going to hold him responsible in our discussion of issue 4. We accordingly hold that if respdt. No. 1 had been initially thrown out of the picture as a disqualified candidate, the Petitioner, who had come up as the second best in spite of the very hot and unfair contest, would probably have been elected at the election. We accordingly hold that the result of the election has been materially affected by the improper acceptance of respondent No. 1's nomination paper.

Issue 4.—The various corrupt and illegal practices alleged against respondent No. 1 have already been detailed by us in the introduction to this judgment. We shall deal with them with reference to the numbers under which they have been mentioned in the issue.

Para 7 (1) of the Petition and Para 1 of Schedule A.—It is alleged that the Petitioner procured the assistance of Government Officers and particularly of Shri Kishan Lal, Tehsildar of Lateri for furtherance of his own election prospects. We find that the allegation has been proved by the testimony of P.Ws. 1, 6 and 7 as produced on behalf of the Petitioner. P.W. 1 is the Petitioner. He tells us that respondent No. 1 had become friendly with Shri Kishan Lal, the then Tehsildar of Lateri, that he had himself seen the Tehsildar and respondent No. 1 sitting late at night in the room in which the ballot boxes were kept at Lateri and that it was in his presence that the Tehsildar had once asked his Quanoongo, Shri Ahmad Ali Khan (P.W. 7) and Badrumalji Seth to vote for respondent No. 1. This statement is supported by Shri Ahmad Ali Khan, who says that the Tehsildar actually canvassed for Hindu Mahasabha and for respondent No. 1 asked the witness to help the Mahasabha and also advised at least 4 Zamindars viz., Kamodsingh, Behari Lal, Krishan Singh and Amolsingh to help respondent No. 1. It is worthy of note that these four names were not given out by the witness voluntarily but were forced out of him in his cross-examination. Again, respondent Kesari Mal (P.W. 6) gives us to understand that respondent 1 held a meeting of the Patels at Lateri in the last week of Dec. 1951, and at that meeting, the witness heard the Tehsildar tell the people present, and respondent No. 1 in particular, that he would do his best to secure votes for the respondent. We have no reason to disbelieve all these statements on oath since they could have been, but have not been, contradicted by producing the Tehsildar. We hold that Respondt. No. 1 was guilty of a major corrupt practice under Sec. 123(8) of the R. P. Act.

Para 7 (2) of Petition and Para 3 of Schedule A.—The Petitioner alleges that respondent No. 1 had paid Rs. 1100 to respondent 4 by way of illegal gratification in order to persuade him to withdraw from the election contest as also to support respondent 1's candidature. This is a serious allegation and has therefore to be seriously considered. If the questionable sum of Rs. 1100 had really passed from respdt. No. 1 to respdt. 4, neither of the two could be expected to admit the transaction. The Petitioner, however, made bold and summoned Saligram (respondent 4) as a witness but did not produce him because as alleged in the application at p. 95, the witness wanted Rs. 500 for his evidence. Even Respondent No. 1 did not dare examine the witness who was evidently a double-hearted and greedy person.

If the transaction had taken place at all, it was unusual that it should have taken place in presence of any third parties whom the Petitioner could cite as eye-witnesses, and so, this explains the absence of any eye witness. But the petitioner has, in addition to himself, examined a number of very respectable witness before whom respondent Saligram is alleged to have admitted that he did actually receive Rs. 1100 from respondent No. 1 for withdrawing from the contest. The first of these witnesses is Shri Brij Lal (P.W. 2) a Deputy Superintendent of Police. The second is respondent Shri Kesari Mal (P.W. 6). The third is Maulana Abdul Rahim (P.W. 9), Chairman of the Municipal Board at Sironj and the fourth is Shri Chandra Shekhar Bhatt (P.W. 10), Headmaster of the Govt. High School at Sironj and Presiding Officer at election. All the four of these witnesses have stated on oath that respondent Saligram had admitted the receipt of Rs. 1100 from respondent No. 1. We accordingly hold that respondent No. 1 made himself guilty of bribery under Sec. 123 (1) (a) of the R. P. Act.

Para 2 of Schedule A.—This point forms the subject matter of Issue No. 5 and will be dealt with under that issue.

Para 8 of Schedule A.—There are two questions involved viz., alleged threat to voters and inducement of votes by suggestion of divine displeasure.

On the question of threats, we maintain that mere empty threats should not count and that a candidate can only be guilty of undue influence when he threatens voters with injury of any kind. Petitioner's witness, Shri Kesari Mal (respondent No. 2), has stated that at one of the Polling stations named Manakheri, one of the supporters of respondent No. 1 namely, Anrath Singh had come armed with guns with a following of above 60 or 70 voters and had told the voters that if they did not vote for the Hindu Sabha candidate, they will be harassed and turned out of their villages. This witness is a defeated candidate and it would not have been safe to rely on his uncorroborated statement but we find that his statement is supported in all material particulars by the Headmaster Shri Chandra Shekhar Bhatt (P.W. 10), who acted as Presiding Officer at the above Polling station. We accordingly accept the statement and hold that the respondent No. 1 was responsible for conniving at what Anrath Singh did in threatening a number of voters with injury. The respondent was therefore guilty of undue influence under Sec. 123 (2) (b) (i).

On the second question *viz.* the procurement of votes by suggestion of divine displeasure, however, we find that the Petitioner has not been able to satisfy us. He and his witnesses Shri Kesri Mal (P.W. 6) and Shri Daulat Rai (P.W. 8) have merely stated that the respdt. No. 1 had told a number of voters at different places that if they did not vote for him, the Hindu Religion will get destroyed. This bit of evidence as also another piece of evidence led on behalf of petitioner that some of the voters were asked to swear on oath of Gangajali that they would vote for respdt. No. 1, are much beside the scope of para 8 of Schedule A, and so, we hold that the Petitioner had failed to prove his particular allegations. In fact, the allegation about the oath of Gangajali is a pure innovation.

Para 9 of Schedule A.—The evidence of Petitioner and his witness P.W. 8, does not only seem to be unconvincing but is also beside the mark. It has remained uncorroborated by any of the Harijans. The Petitioner states that the respdt. had maltreated two of the Harijans, namely, Puran and Komal but neither of the two has been produced. He cannot give the names of Respd. 1's supporters who had threatened the Harijans nor can he give the names of the Harijans themselves. P.W. 8 is the President of the Sironj Tehsil Congress Committee and has, therefore, reasons to be partial to the Petitioner. He has stated almost casually that at a meeting at Bhaura, the respdt. told the Harijans that if they did not vote for the Mahasabha, they would not be allowed to live in the village. We believe, that these words of respdt. No. 1, even if they were uttered, could have broken no Harijan bones. We accordingly hold, that the Petitioner has not been able to substantiate his allegations in Para 9 of Schedule A.

For the reasons given above, our decision on this issue is that Respd. No. 1 was guilty of corrupt practices as alleged in para 7 (i) of the petition and para 3 of Schedule A and of undue-influence by threatening voters as suggested in para 8 of Schedule A.

Issue 5.—Petitioner's counsel has not pressed this issue which is accordingly decided against the Petitioner.

Issue 6.—This issue covers the points raised in para 4 to 7 of Schedule A to the petition. The Petitioner has not been able to show that the return of the election expenses as filed by respdt. 1 is false in any material particulars. The return in question is Ex. XVIII.

As regards para. 4 of the Schedule, it may be noted that Exs. XVI and XVII are the declarations of the election expenses. Pt. Shiva Datta, Returning Officer has been examined and the only defect that he could point out was that these two documents bore judicial stamps and not non-judicial ones. It appears that this defect was subsequently removed by Respd. No. 1 by filing non-judicial stamps of Rs. 2/- . The fact that the declaration of respdt. No. 1 has not been verified before the Magistrate does not seem sufficient to avoid the election.

It has been argued by the Petitioner with reference to Rule 11 A and Form 5A of the Election Rules of 1951 that since respdt. No. 1 had appointed a person other than himself, that is, Shri Prem Narayan Joshi, as his election agent, the appointment should have been made in Form 5A. This argument is not wrong but it only points to an irregularity which does not mar the election and more so, because the nomination paper Ex. I, does refer to the appointment of Shri Prem Narain Joshi as Respd. No. 1's election agent.

As to the alleged defects mentioned in paras 5 to 7 of Schedule A, it may be noted that the learned counsel of the Petitioner has not pressed these defects before us in the course of his arguments. On the face of them, the defects, if any, are technical and not fatal to the election.

For the reasons given, we decide the whole of this issue against the Petitioner.

Issue 7.—Since the returned candidate *viz.* respdt. No. 1 has been found to be wanting in qualification and his voters had apparently no notice or knowledge of his want of qualification, we are not justified in passing any order under Sec. 98 (c) of the R. P. Act, and so, the only reliefs that the Petitioner is entitled to, are those under clause (d) of the aforesaid section, and also under Clause (a) of Sec. 140 for the proved corrupt practices of the respdt.

ORDERED

that this election petition be allowed and the last General Elections of 1952 to the Rajasthan Legislative Assembly from Sironj Constituency be declared to be wholly void.

We may note that in addition to the fact that his nomination paper was improperly accepted we find it proved against Respd. Shri Piarelal that he has been guilty of the following major corrupt practices:—

(a) he furthered the prospects of his election by procuring the assistance of Shri Kishan Lal, the then Tehsildar of Lateri.

(b) he bribed Respd. Salakram in the sum of Rs. 1100/- and thereby induced him to withdraw from the election contest. and

(c) he connived at the threats which his supporter Anrath Singh held out to the voters at Manakheri polling station, that if they did not vote for the Hindu Sabha candidate (*viz.* Respd. Shri Piarelal) they would be harassed and turned out of their villages.

KORAR;
The 8th May, 1953

(Sd.) P. D. PANDE, *Chairman.*
(Sd.) J. P. MATHUR, *Member.*
(Sd.) B. S. DARBARI, *Member.*

[No. 19/219/52-Elec.III/9901.]

By Order,
P R KRISHNAMURTHY, *Asstt. Secy.*